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JAMES N. HATTEN, Clerk
By:  Deputy Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA**

Prince Amun-Ra Hotep Meduty,

Plaintiff,

v.

**USA DRIVERS, INC
ROSE GRIFFITH, Individual**

Defendants.

Civil No. **19-CV-0356**

**Title 28a Rule 65. Injunction
under Authority of the Freedom of
Information Act 5 U.S.C. §552 and
Administrative Procedures Act
5 U.S. Code §551(10)(A)(D), (11)(B)**

NOW COMES, Plaintiff, who hereby moves this court for injunctive relief in the nature of specific performance under authority of F.O.I.A and the APA.

Relief Sought

Plaintiff request three (3) documents to be furnished by Defendant(s) within Thirty (30) days after receipt of petition. **1.** A certified copy of the Internal Revenue Code of 1986 (Income Tax Regulations) and (Employment Tax Regulations) filed and published in the federal register & incorporated by reference. **2.** A copy of the Implementing Regulations for Subtitle F Enforcement Statutes to be found in 26 CFR relating to the Subtitle A Income Tax according to the Parallel Tables of Authorities. And **3.**, a certified copy of the law filed and published in the federal register & incorporated by reference

that imposes an obligation to participate in Federal Retirement Insurance programs as (OASDI) on private sector organizations and laborers in the several states. These requested three (3) documents being made available for inspection will afford Plaintiff relief by having a record that contains such evidence a reasonable mind might accept as adequate to support the conclusion that the imposition of obligations the Defendant(s) alleges to rely upon by third party federal agencies are **positive enacted laws** and thereby, Plaintiff is not subjected to Involuntary Servitude which is in direction violation of 18 U.S. Code §1589 and the 13th Amendment.

Brief

1. Plaintiff provides truck driving and labor services for Defendant(s) who operate as a Trucking company. Over the course of Twelve (12) months the defendant Rose Griffith (account manager) has imposed obligations on the Plaintiff to participate in a federal retirement health insurance program known as Old-age, survivors, and disability insurance.
2. Plaintiff over the course of twelve (12) months has communicated emphatically with several written notices, phone calls, and verbally in person that I do not consent, desire, nor voluntarily elect to participate in, using, associating, accepting, holding, having, being identified or having any involvement or contractual nexus expressed, implied or invisible with

any Federal retirement programs for such programs are only for federal personnel as in reads in Title 5 §552a(13) Federal personnel are entitled to federal retirement benefits including survivor benefits. It appears Defendant(s) are operating under color or presumption of law. (See Exhibit-A, Freedom not to participate in federal insurance programs)

3. FIRST CAUSE FOR INJUNCTIVE RELIEF: The Administrative Procedure Act (APA) Pub. L. 79-404, 60 Stat. 237, governs internal procedures of administrative agencies, including how they interact with the public. The necessity of regulations being published in the Federal Register is variously prescribed in the Administrative Procedures Act, at 5 USC § 552 et seq. The APA in 5 U.S. Code §551(10)(A)(B)(D) ‘Sanctions the requirement or other condition affecting the freedom of a person’.
- Additionally, in 5 U.S. Code §551(11)(B)(C) ‘Relief includes the whole or a part of an agency-’ **recognition of a claim, right,** immunity, privilege, **exemption** or exception; or taking of other action on the application or **petition of,** and beneficial to, a person’. It is specifically set out at 5 USC 552(E) “Except to the extent that a person has actual and timely notice of the terms thereof, a person may not in any manner be required to resort to, or be adversely affected by, a matter required to be published in the Federal Register and not so published.”

4. SECOND CAUSE FOR INJUNCTIVE RELIEF: The Federal Register is the official daily publication for rules, proposed rules, and notices of Federal agencies and organizations as promulgated in the Federal Register Act, at 44 U.S.C. §1501 et seq. It is specifically set out at 44 USC § 1505(a), that when regulations are not published in the Federal Register, application of any given statute is exclusively to agencies of the United States and federal persons as officers, agents and employees.
5. THIRD CAUSE FOR INJUNCTIVE RELIEF: The IRS is required to publish any such obligations in the Federal Register per 26 CFR §601.702(a). In this same regulation, 26 CFR §601.702(a)(2)(ii) you will find referenced Effect of Failure to Publish such regulations in the Federal Register. That section concludes with “...*Thus for example, any such matter which imposes an obligation and which is not so published or incorporated by reference shall not adversely change or affect a person’s rights.*” This regulation also provides, 26 CFR §601.702(a)(D) & (b) The IRS is required under 5 U.S.C. 552(a)(2) to make available for public inspection and copying for the guidance of the public.

Conclusion

Each agency the Defendant(s) rely upon to impose federal obligations on Plaintiff shall make available to the public all laws that have general

applicability and legal effect by separately stating and currently publishing in the Federal Register for the guidance of the public pursuant **1 CFR 1.1, 1 CFR 5.2, the Administrative Procedures Act, Federal Register Act, Freedom of Information Act, and the Privacy Act.** If an obligation of ANY federal AGENCY is **NOT** published or incorporated by reference in the Federal Register, then such an obligation will never adversely change or effect a person's rights and maybe safely ignored with impunity. FAILURE to provide the three (3) documents to Plaintiff within thirty (30) days after receipt of Petition, an order shall ensue of a permanent injunction enjoining defendant(s), all assigns, heirs, successors, persons, companies, individuals, Agencies, and organizations from imposing obligations by force upon Plaintiff that are not filed and published in the Federal Register and incorporated by reference.

By: Prince Amun-Ra A
PRINCE AMUN-RA HOTEP ANKH MEDUTY®
2566 Shallowford rd ne, Suite 104
Atlanta, Georgia [30345]
404 988 9584

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on January 21st, 2019 that a true and correct copy of the Injunction was filed with the Clerk of Court and has been sent via United States Mail, postage pre-paid and addressed as follows:

Rose Griffith
5865 Jimmy Carter Blvd. Suite#100
Norcross, GA 30071

USA DRIVERS Inc.
Nolan Chissson (R.A.)
5865 Jimmy Carter Blvd. Suite 100
Norcross, GA 30071

By: Prince Amun-Ra
Prince Amun-Ra Hotep Ankh Meduty
2566 Shallowford rd, ne
Suite 104, Unit 186
Atlanta, Georgia
404 988 9584

MEMORANDUM OF LAW

1.

26 CFR 601.702 - Publication, public inspection, and specific requests for records.

§ 601.702 Publication, public inspection, and specific requests for records.

(a) Publication in the FEDERAL REGISTER - (1) Requirement.

(i) Subject to the application of the exemptions and exclusions described in the Freedom of Information Act, 5 U.S.C. 552(b) and (c), and subject to the limitations provided in paragraph (a)(2) of this section, **the IRS is required under 5 U.S.C. 552(a)(1), to state separately and publish currently in the FEDERAL REGISTER for the guidance of the public the following information –**

(D) Substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretations of general applicability formulated and adopted by the IRS; and

(ii) **Effect of failure to publish.** Except to the extent that a person has actual and timely notice of the terms of any matter referred to in paragraph (a)(1) of this section which is required to be published in the FEDERAL REGISTER, **such person is not required in any manner to resort to, or be adversely affected by, such matter if it is not so published or is not incorporated by reference therein pursuant to paragraph (a)(2)(i) of this section. Thus, for example, any such matter which imposes an obligation and which is not so published or incorporated by reference shall not adversely change or affect a person's rights.**

(b) Public inspection and copying -

(1) In general.

(i) Subject to the application of the exemptions described in 5 U.S.C. 552(b) and the exclusions described in 5 U.S.C. 552(c), **the IRS is required under 5 U.S.C. 552(a)(2) to make available for public inspection and copying** or, in the alternative, to promptly publish and offer for sale the following information:

2.

H. R. 10612, 94 Congress, Public Law 94-455

Title XII- ADMINISTRATIVE PROVISIONS

Sec. 1201. Public inspection of written determinations by Internal Revenue Service

3.

The Administrative Procedures Act (APA)

The APA is codified at 5 U.S.C. §§551-559

Encompasses the Freedom of Information Act (FOIA) 5. U.S.C §552

and the Privacy Act 5 U.S.C. §552a

The APA serves to police improper agency behavior, **protect public safety, and secure proper entitlements.** The APA governs all three main agency functions: rulemakings, adjudications, and licensing.

4.

1 CFR 1.1 – Definitions

§ 1.1 Definitions

Agency means each authority, whether or not within or subject to review by another agency, of the United States, other than the Congress, the courts, the District of Columbia, the

Commonwealth of Puerto Rico, and the territories and possessions of the United States;
Document having general applicability and legal effect means any document issued under proper authority prescribing a penalty or course of conduct, conferring a right, privilege, authority, or immunity, or imposing an obligation, and relevant or applicable to the general public, members of a class, or persons in a locality, as distinguished from named individuals or organizations; and

5.

1 CFR 5.2 - Documents required to be filed for public inspection and published.

§ 5.2 Documents required to be filed for public inspection and published

The following documents are required to be filed for public inspection with the Office of the Federal Register and published in the FEDERAL REGISTER:

(a) Presidential proclamations and Executive orders in the numbered series, and each other document that the President submits for publication or orders to be published.

(b) Each document or class of documents required to be published by act of Congress.

(c) Each document having general applicability and legal effect

6.

1 CFR 21.21(c) - General requirements: References.

§ 21.21 General requirements: References.

(c) Each agency shall publish its own regulations in full text. Cross-references to the regulations of another agency may not be used as a substitute for publication in full text, unless the Office of the Federal Register finds that the regulation meets any of the following exceptions:

7.

44 U.S. Code § 1505 - Documents to be published in Federal Register

(a) PROCLAMATIONS AND EXECUTIVE ORDERS; DOCUMENTS HAVING GENERAL APPLICABILITY AND LEGAL EFFECT; DOCUMENTS REQUIRED TO BE PUBLISHED BY CONGRESS. There shall be published in the Federal Register—

(1)

Presidential proclamations and Executive orders, except those not having general applicability and legal effect or effective only against Federal agencies or persons in their capacity as officers, agents, or employees thereof;

8.

44 U.S. Code § 1507 - Filing document as constructive notice; publication in Federal Register as presumption of validity; judicial notice; citation

A document required by section 1505(a) of this title to be published in the Federal Register is not valid as against a person who has not had actual knowledge of it until the duplicate originals or certified copies of the document have been filed with the Office of the Federal Register and a copy made available for public inspection as provided by section 1503 of this title.

42 USC 18115

NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2012 (see <http://www.law.cornell.edu/uscode/uscpint.html>).

TITLE 42 - THE PUBLIC HEALTH AND WELFARE CHAPTER 157 - QUALITY, AFFORDABLE HEALTH CARE FOR ALL AMERICANS SUBCHAPTER VI - MISCELLANEOUS PROVISIONS

§ 18115. Freedom not to participate in Federal health insurance programs

No individual, company, business, nonprofit entity, or health insurance issuer offering group or individual health insurance coverage shall be required to participate in any Federal health insurance program created under this Act (or any amendments made by this Act), or in any Federal health insurance program expanded by this Act (or any such amendments), and there shall be no penalty or fine imposed upon any such issuer for choosing not to participate in such programs.

(Pub. L. 111–148, title I, § 1555, Mar. 23, 2010, 124 Stat. 260.)

References in Text

This Act, referred to in text, is Pub. L. 111–148, Mar. 23, 2010, 124 Stat. 119, known as the Patient Protection and Affordable Care Act. For complete classification of this Act to the Code, see Short Title note set out under section 18001 of this title and Tables.